

**17-16-21 Fees of county officers.**

- (1) As used in this section, "county officer" means all of the county officers enumerated in Section 17-53-101 except county recorders, county constables, and county sheriffs.
- (2)
  - (a) Each county officer shall collect, in advance, for exclusive county use and benefit:
    - (i) all fees established by the county legislative body under Section 17-53-211; and
    - (ii) any other fees authorized or required by law.
  - (b) As long as the Children's Legal Defense Account is authorized by Section 51-9-408, the county clerk shall:
    - (i) assess \$10 in addition to whatever fee for a marriage license is established under authority of this section; and
    - (ii) transmit \$10 from each marriage license fee to the Division of Finance for deposit in the Children's Legal Defense Account.
  - (c)
    - (i) As long as the Division of Child and Family Services, created in Section 62A-4a-103, has the responsibility under Section 62A-4a-105 to provide services, including temporary shelter, for victims of domestic violence, the county clerk shall:
      - (A) collect \$10 in addition to whatever fee for a marriage license is established under authority of this section, in addition to the amount described in Subsection (2)(b), if an applicant chooses, as provided in Subsection (2)(c)(ii), to pay the additional \$10; and
      - (B) to the extent actually paid, transmit \$10 from each marriage license fee to the Division of Finance for distribution to the Division of Child and Family Services for the operation of shelters for victims of domestic violence.
    - (ii)
      - (A) The county clerk shall provide a method for an applicant for a marriage license to choose to pay the additional \$10 referred to in Subsection (2)(c)(i).
      - (B) An applicant for a marriage license may choose not to pay the additional \$10 referred to in Subsection (2)(c)(i) without affecting the applicant's ability to be issued a marriage license.
- (3) This section does not apply to any fees currently being assessed by the state but collected by county officers.

Amended by Chapter 278, 2013 General Session